

June 15, 2004 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0247

Boze Investment, LLC

Bermuda Magisterial District
West line of Old Stage Road

REQUEST: Rezoning from Light Industrial (I-1) to General Industrial (I-2).

PROPOSED LAND USE:

An unattended tractor trailer service station is proposed. In addition, uses permitted within the Light Industrial (I-1) District would be permitted. (Proffered Condition 1)

RECOMMENDATION

Recommend approval for the following reason:

As conditioned, the proposed zoning and land use complies with the Consolidated Eastern Area Plan which suggests that the property is appropriate for light industrial uses and moderate industrial uses when such uses are designed, located and/or oriented to ensure compatibility with less intensive uses, and where adequate access and transitions are provided.

- (NOTES:
- A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.
 - B. IT SHOULD BE NOTED THAT REVISED PROFFERS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST

THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE REVISED PROFFERS.)

PROFFERED CONDITIONS

The property owner and applicant in this rezoning case, pursuant to section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owner and applicant. In the event the request is denied or approved with conditions not agreed to by the owner and applicant, the proffers shall be immediately null and void and of no further force or effect.

1. Uses Permitted on the Property. The following uses shall be permitted on the Property:
 - a. Any use permitted in Light Industrial (I-1) District; and
 - b. Tractor-trailer service stations. (P)
2. View from Old Stage Road. The view of any structures or equipment used for a tractor trailer service station from Old Stage Road shall be minimized to the extent practicable, using a berm, vegetation, or other screening material. The exact nature and location of such materials shall be subject to review and approval by the Planning Department at time of site plan approval. (P)
3. Public Water and Sewer. Any development on the Property other than an unattended tractor-trailer service station shall be served by public water and sewer. (U)
4. Right-of-Way Dedication. Prior to any site plan approval, thirty-five (35) feet of right-of-way on the west side of Old Stage Road, measured from the centerline of that part of Old Stage Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
5. Road Ditch Relocation. Prior to issuance of an occupancy permit, the ditch along the west side of Old Stage Road shall be relocated to provide an adequate shoulder for the entire property frontage, and additional pavement shall be constructed along Old Stage Road at the approved access to provide left and right turn lanes, if warranted based on Transportation Department standards. The

developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these road improvements. (T)

6. Access. Direct access from the property to Old Stage Road shall be limited to one (1) entrance/exit. The exact location of this access shall be approved by the Transportation Department. Prior to any site plan approval, an access easement, acceptable to the Transportation Department, shall be recorded from Old Stage Road to the adjacent property to the south. (T)

GENERAL INFORMATION

Location:

West line of Old Stage Road, north of West Hundred Road. Tax ID 803-656-2356 (Sheet 27).

Existing Zoning:

I-1

Size:

2.0 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - I-1; Industrial or vacant

South - C-5; Vacant

East - A; Industrial, single family residential or vacant

West - C-5; Vacant

UTILITIES

Public Water and Wastewater Systems:

The proposed use will not necessitate a manned facility; therefore, the use of the public water and wastewater system is not required. However, to address staff concerns relative to other uses, the applicant has proffered that any development on the property other than an unmanned tractor trailer service station, will be served by public water and wastewater. (Proffered Condition 3)

ENVIRONMENTAL

Drainage and Erosion:

The property drains west under the Seaboard Coastline Railroad to Redwater Creek and then via Redwater Creek to the James River. There are currently no on- or off-site drainage and erosion problems with none anticipated after development. Although there are no major onsite erosion problems, development would provide stabilization since the site has been moderately denuded for many years.

PUBLIC FACILITIES

Fire Service:

The Dutch Gap Fire Station, Company Number 14, and Bensley-Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. This request will have only a minimal impact on fire and EMS. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Transportation:

This request will not limit development to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on light industrial trip rates, development could generate approximately 140 average daily trips (ADT); however, the applicant intends to develop an unattended fueling station. Based on traffic information provided by the applicant, development of an unattended fueling station could generate 100 ADT. These vehicles will initially be distributed along Old Stage Road, which had a 2003 traffic count of 5,663 average daily trips.

The Thoroughfare Plan identifies Old Stage Road as a collector with a recommended right of way width of seventy (70) feet. The applicant has proffered to dedicate thirty-five (35) feet of right of way, measured from the centerline of Old Stage Road, in accordance with that Plan. (Proffered Condition 4)

Development must adhere to the Development Standards Manual in the Zoning Ordinance relative to access and internal circulation (Division 5). Access to collectors, such as Old Stage Road, should be controlled. The applicant has proffered to limit direct access from the property to Old Stage Road to one (1) entrance/exit (Proffered Condition 6). The proffer requires that an access easement be recorded from Old Stage Road across the property to the adjacent property to the south to provide shared use of this access.

Mitigating road improvements must be provided to address the traffic impact of this development. The applicant has proffered to relocate the ditch to provide an adequate shoulder along the west side of Old Stage Road for the entire property frontage and

construct additional pavement along Old Stage Road at the approved access to provide left and right turn lanes, based on Transportation Department standards (Proffered Condition 5). Based on the intended use, turn lanes would not be warranted.

At time of site plan review, specific recommendations will be provided regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Consolidated Eastern Area Plan which suggests that the property is appropriate for light industrial uses and moderate industrial uses when such uses are designed, located and/or oriented to ensure compatibility with less intensive uses, and where adequate access and transitions are provided.

Area Development Trends:

Surrounding properties are zoned A, C-5 and I-1 and are occupied by industrial use, single family residential use, or are vacant.

Uses:

While the applicant is requesting rezoning to General Industrial (I-2), uses permitted would be limited to uses permitted in the Light Industrial (I-1) District and tractor-trailer service stations. (Proffered Condition 1)

Site Design:

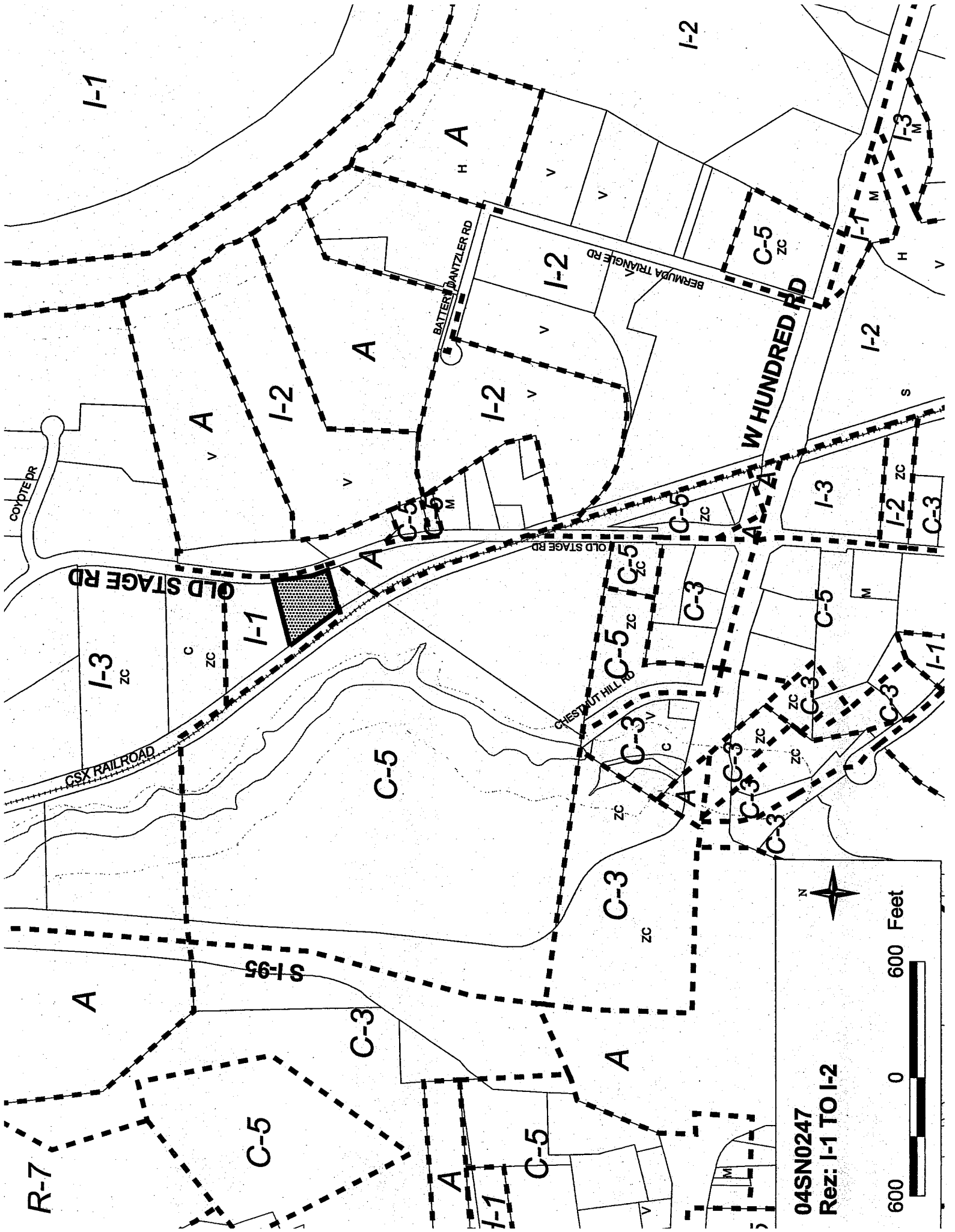
The property lies within an Emerging Growth Area. Development of the property must conform to the requirements of the Zoning Ordinance which address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities, pedestrian access and screening of dumpsters and loading areas. The property also lies within the Old Stage and Coxendale Roads Corridor District which addresses increased front setbacks and tree preservation.

In addition, Proffered Condition 2 requires that the view of any structures or equipment used for a tractor-trailer service station from Old Stage Road shall be minimized using a berm, vegetation or other screening materials. The exact nature and location of such materials shall be subject to approval by the Planning Department at the time of site plan review.

CONCLUSIONS

As conditioned, the proposed zoning and land use complies with the Consolidated Eastern Area Plan which suggests that the property is appropriate for light industrial uses and moderate industrial uses when such uses are designed, located and/or oriented to ensure compatibility with less intensive uses, and where adequate access and transitions are provided.

Given these considerations, approval of this request is recommended.



04SN0247

Rez: I-1 TO I-2